

## Strategy – Stronger Penalties for Violation of School Crossing Guards Directions/Directives

As traffic continues to increase on North Carolina’s streets and highways, concern has grown over the safety of our children as they walk to and from school. At the same time, health agencies, alarmed at the increase in obesity and inactivity among children, are encouraging parents and communities to get their children walking and biking to school. An important part of keeping children safe in and around school areas is the presence of School Crossing Guards and having motorists obey the “Stop” directive of the crossing guard.

Adult school crossing guards play an important role in the lives of children who walk or bicycle to school. Not only do they help children safely cross the street at key locations, but they also remind drivers of the presence of pedestrians. The presence of adult crossing guards can lead to more parents feeling comfortable about their children walking or bicycling to school.

When a school crossing guard displays their hand held “STOP” sign, motorists are expected to obey it, much in the same manner as the stop arm on a school bus. Unfortunately, according to law enforcement officers, reports from school crossing guards of motorists violating the stop sign are on the increase. Not only does this put the crossing guard at risk, but potentially the lives of the children and other pedestrians too. Presently, there are little to no penalties of significance for these violators. As a result, violations continue to increase. With North Carolina’s present effort of increasing walking to schools (Safe Routes to Schools), it is imperative that motorists begin paying more attention to and adhering to the directions of school crossing guards. GS 20-16, *Authority of Division to suspend license*, includes a schedule of point values charged against non-commercial motor vehicle operators related to school zones as follows: Driving through safety zone, 3 points; Speeding in a school zone in excess of the posted school zone speed limit, 3 points. Penalties for commercial vehicles for the same offences are 4 points each. One way of encouraging compliance is to enact more stringent penalties for those who violate the stop sign.

### General Description

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#### ***Technical Attributes***

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Target	Motorists who enter into School Zones and do not comply with the “Stop” sign displayed by school crossing guards, thus endangering the safety of the crossing guard, children and other pedestrians at the crossing.
Expected Effectiveness	<p>If the established penalties are severe enough, it is anticipated that the number of people violating the stop sign displayed by a school crossing guard will diminish significantly.</p> <p>Violations of not complying with the directive of the school crossing guard should be in line with not complying with a stopped school bus and should carry 5 points on the violators license if operating a passenger vehicle and 8 points if operating a commercial vehicle.</p>
Keys to Success	Establishing effective legislation that includes strong enough penalties to discourage motorists from not complying with school crossing guards directive to stop.

Potential Difficulties	<ul style="list-style-type: none"> <li>▪ Enacting the required legislation.</li> </ul>
Appropriate Measures and Data	<ul style="list-style-type: none"> <li>▪ Reports of violations as received by law enforcement agencies.</li> </ul>
Associated Needs	<p>An amendment to existing general statute 20-173. The amendment should be something similar to:</p> <p><i>By Failing to stop at or moving through a crosswalk in a school zone while the school designee or appointed School Crossing Guard was displaying a Stop sign, Signal or Flashing Red Stoplight for the purpose of moving Children / Pedestrians to and from the school during school hours or functions.</i></p> <p><i>Whenever evidence is presented in any court or administrative hearing of the fact that a vehicle was operated in violation of this section, it shall be prima facie evidence that the vehicle was operated by the person in whose name the vehicle was registered at the time of the violation, according to the Division's records. If the vehicle is rented, then proof of that rental shall be prima facie evidence that the vehicle was operated by the renter of the vehicle at the time of the violation.</i></p>
Organizational, Institutional, and Policy Issues	None
Issues Affecting Implementation Time	<ul style="list-style-type: none"> <li>▪ Legislation</li> <li>▪ Education of the public concerning the new law and its penalties</li> </ul>
Costs	Minimal
Training	<ul style="list-style-type: none"> <li>▪ Education of law enforcement officers on the penalties associated with the new law</li> <li>▪ Training for crossing guards on the legal implications of motorists not stopping</li> </ul>
Legislative Needs	<ul style="list-style-type: none"> <li>▪ An amendment to G.S. 20-173. Pedestrians' Right-of-Way at Crosswalks, to include a subsection that addresses motorists who fail to comply with the stop directive issued by school crossing guards.</li> <li>▪ An amendment to G.S. 20-16 indicating increased schedule of point values.</li> </ul>